



DISPLACED  
**WOMEN'S RIGHTS**  
TO HOUSING, LAND AND PROPERTY

## HOUSING, LAND AND PROPERTY RIGHTS FOR SOMALIA'S DISPLACED WOMEN



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This paper has been adapted from the NRC report Housing, Land and Property Rights for Somalia's Urban, Displaced Women, February 2016, by Juliette Syn. For more detailed information on any of the issues highlighted in this note, please read the full report at <http://womenshlp.nrc.no/?p=889>.

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## HOUSING, LAND AND PROPERTY RIGHTS FOR SOMALIA'S DISPLACED WOMEN

**“** *Things have changed; we have changed. We know our rights now. We have seen that women can go to court, and that they can go to the police for help. We have seen things we didn't know before.* **”**

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# BACKGROUND

In November 2015 the NRC legal assistance (ICLA) programme in Somalia undertook research on the housing, land and property (HLP) rights of IDP women living in urban settlements. The results are presented in this report. The study aimed to:

- Assess the main challenges for IDP women in housing, land and property.
- Understand if/how women are able to access HLP rights through marital property and inheritance claims in customary and religious regimes.
- Document Somali women's recommendations to improve their HLP rights.
- Provide practical recommendations for humanitarian community to improve support for IDP women.

Information for this report was gathered through a combination of a literature review, fieldwork conducted in August/September 2015, and an analysis of NRC's legal assistance programme experience, including consultation with NRC ICLA staff. Research sites included Dollow and Mogadishu in South Central, Hargeisa in Somaliland, and Garowe and Galkayo in Puntland.

Fieldwork included 27 focus group discussions with women, youth, host, and displaced community members. This was complemented by 28 more in-depth individual interviews with government, civil society, program staff and partners, and other key stakeholders. All names of people whose stories are included in this report have been changed to protect their privacy.



# RECOMMENDATIONS

## INCREASE KNOWLEDGE OF RIGHTS AND LAWS

1. Humanitarians and civil society should train men and women on women's rights, particularly those relating to *mahr*, divorce, inheritance, and emphasise the underlying right of all women to directly own land and property that is protected by the Qur'an.

## PROVIDE LEGAL ASSISTANCE

1. Provide legal assistance through either lawyers or paralegals in contexts where courts are available and deemed the appropriate forum, using joint teams of men and women where possible to utilise the advantages of both genders.
2. Organisations providing legal assistance should establish community centers in places which are easily accessible for women, such as near markets, health facilities, water points and schools.
3. Develop networks within settlements where women are trained on their rights and able to provide support for each other, building on existing outreach and awareness initiatives, and where possible, seek the inclusion of men who understand the importance and benefits of supporting Somali women.

## SUPPORT ENGAGEMENT WITH DECISION-MAKERS

1. Assist women to gain access and audience with key decision-makers, within both statutory and customary systems.
2. Provide mediation services to support women to engage with Elders to refer and resolve their HLP cases: Ultimately, women need assistance in improving their outcomes when customary systems are used, as that is where the vast majority of their issues still go.

# OVERVIEW OF NRC ICLA SOMALIA

The NRC ICLA programme was established in Somalia in 2013, and provides information, counselling, legal assistance, collaborative dispute resolution, and capacity building services to enable persons affected by displacement to claim and exercise their housing, land and property (HLP) rights. ICLA currently operates in Somaliland, Puntland, and South Central, where it engages with a wide variety of stakeholders, such as IDP communities, local government actors, customary authorities, legal institutions, humanitarian agencies, development agencies and civil society organisations, to promote and protect the HLP rights of displaced persons. Based inside Somalia, and working inside IDP settlements, the ICLA programme aims to clearly understand the fluid and complex nature of HLP issues faced by the displaced, to ensure that its response is both relevant and effective.

Activities include the provision of counselling, mediation and negotiation services to resolve HLP-related conflicts, such as evictions and lease extensions, as well as training for IDPs, local actors, and other stakeholders to build knowledge and capacity regarding HLP rights. In both South Central and Puntland, the programme engages closely with timely social issues like mass forced evictions, and conducts eviction monitoring. In all areas of operation, ICLA works with the other NRC core competencies and government partners to facilitate access to land and shelter. To strengthen tenure security and protect the rights of IDPs to use their houses, fields, boreholes, and other communal infrastructure, ICLA also facilitates access to HLP documentation to protect their claims.



# INTRODUCTION

Despite decades of international assistance and involvement, Somalia remains a complex operational environment with many needs and challenges. The country ranks amongst the five least developed nations according to the 2012 Human Development Index, and is at the fourth lowest position globally on the Gender Inequality Index.<sup>1</sup> The task of providing assistance to a large displaced population is difficult in any setting, but is made even more so in a country of over 10 million people with a poverty rate of over 70 percent, and where the identity of the government and reach of their laws remain highly contested.

As of December 2015, UNHCR reports indicate an estimated 1,023,770 internally displaced persons (IDPs) in Somalia,<sup>2</sup> a country that has endured over 20 years of armed conflict and devastating drought conditions, and that has been labelled as one of the world's worst humanitarian crises. The difficulties of managing and responding to displacement are exacerbating conflict and fragility, overwhelming institutional and host community capacity, and impeding inclusive development.

Most displaced people are in urgent need of improved transitional and permanent shelters that offer more protection, privacy and dignity over longer periods of time. These people also need to be provided with durable solutions as per their preference, including reintegration and resettlement. Conditions are not conducive to large-scale voluntary returns of displaced people.<sup>3</sup>

An important component of addressing these challenges remains the many facets of the treatment of housing, land, and property (HLP) – who has access to it, who controls it, how, and the narrative of why – and the present research seeks to ensure that the needs and voices of displaced women are included in this important conversation.

## WHAT IS HLP?

Housing, land and property (HLP) rights are about having a home, free from the fear of forced eviction; a place that offers shelter, safety and the ability to secure a livelihood. The concept of HLP includes the full spectrum of rights to housing, land and property held according to statutory or customary law or informally – both public and private housing, land and/or property assets.

## SECURITY OF TENURE

Security of tenure is one of the seven aspects of the right to adequate housing and guarantees that people can access and enjoy their home and their rights to land without fear of forced eviction. All forms of tenure warrant baseline protection to guard against forced eviction, including lease rights, possession rights, and customary use/occupancy rights.<sup>4</sup>

1 <http://hdr.undp.org/en/content/gender-inequality-index-gii>

2 <http://www.unhcr.org/pages/49e483ad6.html>

3 OCHA (2015)

4 Report of the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living, and on the Right to Non-Discrimination in this Context, Raquel Rolnik, 30 Dec 2013, UN Human Rights Council

## HIGHEST RISKS FOR WOMEN AND GIRL IDPS

It is estimated that at least 70-80 percent of the IDPs are women and children.<sup>5</sup> UN OCHA highlights the additional risks faced by female IDPs:

*“The 1.1 million displaced people remain the most vulnerable group in Somalia. Among these, girls and female-headed households are the most vulnerable as they face the greatest risk of gender-based violence. In addition to the food insecurity, malnutrition and serious protection violations they face, their displacement and return dynamics continue to evolve, and events such as military operations in southern and central Somalia that started in March 2014 have created new displacements.”*



5 IOM (2014)

# MAIN CHALLENGES FOR SOMALI IDP WOMEN

The study found that displaced Somali women do have a range of HLP rights under the mix of statutory, customary, and Islamic regimes used in Somalia. However, despite the HLP rights and protections that exist, Somali women's stories and NRC legal assistance cases clearly indicate that there are many obstacles that prevent women from exercising them. Many stem from chronic poverty, and the male dominated traditions and cultures that underpin Somali society.

These obstacles prevent women first from trying to claim their rights, and then again if they seek adjudication about the denial of those rights. Women who seek to vindicate their rights are further stymied by the somewhat ad-hoc nature of Somalia's legal institutions, in that there is still general uncertainty as to what rules exist, which ones govern, and where they can be adjudicated.

The main challenges are set out below. These relate to the experience of displaced women, rather than a comprehensive summary of all the HLP challenges in Somalia.

## 1 RISK OF EVICTION

Displaced people continue to be the primary victims of evictions from government buildings and by private landlords, particularly in Mogadishu where the value of land has been increasing, due in part to improved security conditions and the return of Somali diaspora.<sup>6</sup> In 2015 almost 130,000 individuals were displaced by forceful evictions<sup>7</sup> in South and Central Somalia alone. Evictions have increased in other towns as well; a report from the Brookings Institute notes that almost 50,000 persons were forcibly evicted from their shelters since the start of 2013. The experience can be especially harsh on displaced youth, as recounted by young men and women in Hargeisa:

*"The government came and told our community that we would be relocated. The IDP leaders went to the site first, but they saw there were no services and it was far from town. They refused to move. The government decided to forcefully evict us – bulldozers and lorries came. They were shooting; some people were wounded by the bullets."*  
**Ayaha III Settlement, Hargeisa**

### FORCED EVICTIONS

Forced evictions are defined as the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.<sup>8</sup> The Protection Cluster and HLP AoR in Mogadishu has also attempted to address forced evictions from settlements by promoting adherence by State to a set of Eviction Guidelines, which has been agreed to by the Government. **See here for full text of Evictions Guidelines.** <http://womenshlp.nrc.no/2016/06/somalia-protection-cluster-evictions-guidelines/>

<sup>6</sup> Drumtra (2014); Human Rights Watch (2013); Refugees International (2012).

<sup>7</sup> January – December 2015 Eviction Tracker Matrix, PRMN Database 2015

## CASE STUDY 1: EVICTED BY HER HUSBAND

Aisha\* is married and has four children. She used to live with her husband, Mohamoud\*, in a CGI shelter from NRC. She received land tenure documents indicating that the shelter belonged to them, but her husband was named as head of household in the land tenure document. When her husband married a second wife, he demanded that she vacate the shelter for him and the 'new wife'. Aisha refused. Her husband stopped providing any financial support for her or the children and forcefully evicted her and the children from the shelter. Aisha sought temporary shelter with a fellow IDP and consequently reported her case to the IDP Committee comprised of elders and sheikhs. However, her husband refused to respect the decision of the IDP Committee in favour of the shelter being returned to Aisha and her children. The IDP committee then referred the case to NRC ICLA centre in Dollow for legal assistance. Aisha was counseled and agreed to have the case mediated. During the mediation, Mohamoud refused to return the shelter and the mediation failed. Since Aisha was unwilling to proceed to court with the case, the case was referred to the Shelter and Food Security sectors where Aisha was provided with a new CGI in another settlement within Dollow and considered for an Income Generating Activities (IGA) package as part of livelihood support.

\*Names have been changed

### Women at risk of eviction

Women-headed households in rental accommodation are at greater risk of eviction by landlords, as they are often viewed as easier targets than households where adult men are present. While humanitarian actors acknowledge this problem, they add that it is difficult to address, as IDPs are often unwilling to bring this complaint to agencies. Unless IDPs believe that legal infrastructure is available to guarantee and enforce their rights, most will try to find a way to make the payment, rather than risk being evicted. However, IDPs who know their rights and are willing to speak out can protect themselves.

### Women evicted by their families

As well as experiencing forced evictions from settlements, IDP women can also be evicted from shelters by their husbands. This adds an additional layer of vulnerability to be considered by humanitarians in their programming.

## CASE STUDY 2: "...BECAUSE HIS NAME WAS ON THE DOCUMENT." - DOLLOW

*"The house and land was given to the woman, and her husband didn't like that. He tried to take it by force. The woman's name was registered by the NGO, but during the process to register the land title, they gave the husband's name. When there a conflict, the case went to the community leader to decide who owned the house. The leader said it depended on whose name was on the document. The woman argued the house was hers because she was registered by the NGO, but the leader found in favour of the man because his name was on the document. He stayed, and she was forced to leave the house."*

## GOOD PRACTICE EXAMPLE

In Dollow the district commission has a special department addressing family and maintenance cases. Women are prioritised and during the sessions they are afforded a fair hearing and trial. The district has also constructed a center in Qansahley where women can report cases and have them addressed in a timely and confidential manner. This approach can be replicated to address HLP specific cases at community level and would therefore ensure women have spaces to speak and their voices would be heard.

## 2. DENIAL OF INHERITANCE AND MARITAL PROPERTY RIGHTS

- Men: “Customary and Shari’a law are the same.”
- Women: “When it comes to inheritance and divorce, they forget Islam.”

In the countries where women’s HLP rights continue to be determined through their relationship with men, inheritance and marital property laws can provide some of the most important avenues for women to gain independent control and use of HLP. Because this is so vital to IDP’s survival and longer-term recovery, including the use of humanitarian shelters, it warrants particular consideration.

### Losing out in inheritance

The right to inheritance and the rules governing the process in the Qur’an are very specific; no men or women interviewed for the study said that the rules were wrong, or should not be followed. However, the majority of women indicated that they had not been able to access their inheritance from either their late husbands or parents, and very few men could or would confirm that their sisters or female in-laws had received any inheritance. The research shows that in relation to matters of inheritance and divorce in particular, elders and others with decision-making power would “forget” the Islamic teachings, relying instead of “custom.”

Women interviewed shared stories of being denied inheritance rights, of being forced out of her home with nothing, or of being forced to give up her *mahr*. A consistent theme that came up was a sense of hopelessness – that there was no one to talk to who had the power to help. If she went to the customary Elders, she had to find a man to speak for her, which was understandably difficult if the men in her life (like a brother or husband) were the cause of her problem. Even after the Elders heard her case, she would likely be told to “be patient,” or to “find a solution.”

Additionally, the social pressure to conform is great, and a Somali woman’s life typically depends on the need to be accepted and supported by her family and the clan. Referring to her inability to seek help to claim her inheritance, one woman in Mogadishu explained, “Women can’t talk

about inheritance in front of the elders, and we are ashamed to ask our brothers. Confronting the Elders would cause problems.”

## Evicted from family home after divorce

Another key question in the event of divorce relates to the women's rights after divorce: Who will stay in the house, and who will leave? During the study, IDP men said that their custom on this matter followed Islamic law.

The Qur'an instructs:

- Divorced women shall also have such maintenance as is considered fair: this is a duty for those who are mindful of God. (2:241)
- Do not drive them out of their homes – nor should they themselves leave – unless they commit a flagrant indecency. (65:1)

Yet, among both men and women, there was little mention of the provision of maintenance for either the wife or the child, and the majority of women reported that they were forced to leave the house without anything.

Discussions in all study sites remained fairly consistent in explaining that the needs of children are prioritised during a divorce. For women who have children they will continue to support, there is a reasonably good faith effort by the Elders to ensure some kind of shelter remains available. However, women who have no children are offered no protection, and are generally forced to leave her home with nothing.

## 3. INABILITY TO SEEK JUSTICE

Whatever HLP rights and protections that might exist for Somali women, their stories and NRC programme files clearly indicate that there are many obstacles that prevent the women from exercising them and deny them justice.

### Customary Justice: “Men will support men”

Because conflicts stemming from women trying to claim their HLP rights are often categorised as “family matters”, women are encouraged to deal with issues within the customary system and to find a way to keep the peace within her family. Given this and the inaccessibility of statutory courts, referral to the Elders continues to be the primary way in which Somalis seek to solve problems.<sup>8</sup>

*Although these traditional institutions do not enjoy the resources of a state, their decisions – whether reached under a tree in the pastoral areas or in a modern house in urban centres – can carry the power of a government.<sup>10</sup>*

<sup>8</sup> [T]he position of ‘elder’ is common to all clans. The term ‘elder’ can be applied to all adult males at every level of the clan family, from the nuclear family upwards. And all elders, thus all men, have the right to speak in an open council (shir) which can be called for at every level of segmentation, as required. Shir are ‘called to discuss relations between groups, to settle disputes, or to decide upon war or peace . . . . Shir exclude women’. Gardner & El Bushra 2004

<sup>9</sup> Osman, Abdurahman A. (2010)

Unfortunately, women are often excluded.<sup>10</sup> The primary aim of this system is to maintain balance and peace between clans, but in doing so, it ignores the needs of the women as individuals, whose situation is made worse when displacement takes them away from their fathers, brothers, and other protectors.

*“But if there is conflict, it is always men working to resolve the problem. And men will support men.”*

IDP woman in Garowe

### CASE STUDY 3: NIMO, DIIGALI SETTLEMENT, SOMALILAND

Nimo\* has six children. She used to live with her husband's family, and his parents supported her and the children because her husband was “not good, and always using drugs.” She and the children moved because of the drought, and her husband came after her. She received a CGI shelter from NRC, and also received a card from the local government indicating that the shelter is hers. Because her husband was not in Hargeisa at the time the card was issued, it is in her name. When her husband returned, he demanded that she give the card for the shelter to him; she refused. He became angry and was physically abusive, saying that he owned her and the property. Since then, he leaves and returns periodically. He does not provide any financial support for her or the children, and every time he returns he beats her; a neighbour who has witnessed the violence says that she is afraid that one day Nimo's husband will kill her.

Nimo has reported her case to the IDP Committee many times, and this case has been discussed among the traditional elders more than five times. She says the customary system will not help her because she and her husband are from the same clan; the Elders always tell her that the family should stay together, and she and her husband should go home and work things out. She has attempted to use the statutory court system, but the Elders have twice gone to court and told the judge that they were handling the case. The court always listens to the Elders. Nimo lives in constant fear, but continues to insist that the house is for her and the children.

\*Not her real name

#### Elders control access to statutory courts

##### “We can't go to court.”

- “The case can only go to court if the customary way fails three times. The Elders will interfere if you try to bypass them and go to court. The problem here is that elders control everything.” – Woman in Dollow
- “The Elders came to the court, and told the judge not to hear the case. They said they would handle it ‘their way.’” – Woman in Hargeisa

Statutory courts exist as an alternative to the customary system, but they are often viewed as either inaccessible or so entwined with the customary system as to be rendered ineffective. In all study sites, women confirmed that disputes would go to customary elders as the first step in finding a solution. Women who tried to go to the court first found that they would not get very far without if they did not have the support and approval of the Elders.

<sup>10</sup> Gardner & El Bushra 2004

## Women require male representative in court and customary hearings

Even if women are able to get to court, they continue to face obstacles, as the women's stories suggest that the value of men and women's words in court are not yet seen as equal. Host community women in Dollow explain that it is difficult to bring a case against a man because:

*"Women are down; men have more power. Most of the time, men can bring fake witnesses, and [the court] will believe the men."*

Additionally, despite having the right to speak for themselves in court, interviews in Mogadishu suggest that in some courts, women would still be required to have a man there to speak for her.

IDP women described a similar situation in customary forums, explaining that although they might participate as a witness, they are not formally allowed to speak for themselves, and must have a male relative or clan member to speak for them.<sup>11</sup>

One woman in Dollow said that sometimes, the women weren't even allowed to speak to the Elders.

*They will reach a decision on their own, and then just come and tell you that your case is solved.*

IDP woman in Dollow

*If the woman comes alone, the court will ask if she has a father, uncle, brother, or some other male to speak for her. If she says yes, she must bring him. If she says no, the court will do a background check, and send someone to ask the clan. This 'makes the case easier for her.'*

Court official



<sup>11</sup> Norton (2008); Vargas (2011)

## 4. ALLOCATING ASSISTANCE TO “HEAD OF HOUSEHOLD”

**Tenure security** is typically analysed at the household level, where the family is treated as a single, cohesive unit; using this level of analysis assumes that all members have the same priorities, interests, and equal levels of security. Whether intentional or not, humanitarian interventions have implicitly accepted this premise, assuming that by providing assistance to the “household,” they are helping all of its members equally.

When humanitarian shelters are allocated, the IDP family is given a card or other document to indicate full title/ownership of the structure. This intervention, like all humanitarian interventions, follows the “head of household” model, and thus one member of the family is selected during the registration process, whose name will be on the card.

Humanitarian shelter and livelihood interventions for the IDPs have resulted in more women in a married household holding “title,” represented by an ownership card that serves as tangible evidence of ownership of shelters or other assets provided for the family. Discussions with humanitarian actors and the women themselves indicate that this has often been unintentional; although there is a preference for women to be given control of these assets, external actors have to date been wary of interfering with the gender dynamics in a married household. A woman is often registered as the head of household simply because she is there when the agencies come by and her husband is not.

Unfortunately, several women report that the idea that his wife is in control of property, and he is not, is unacceptable to their husbands, who become angry when they learn what has happened. If the wife refuses to give him the ownership card and cede her control, violence often ensues.

*I was working with the land registration unit. The [humanitarian] organisations were giving the women cards for land that had been acquired for them, but when it came time to register the land with the government, the men wanted their names registered instead. Many times, then, that land was resold, and the women were left with nothing.*

Municipal Government in Galkayo



## CASE STUDY 4: “OUR OFFICE INTERVENED.” - MUNICIPAL GOVERNMENT OFFICIAL, GAROWE

*“When the humanitarian agencies distributed the tents here, they gave a tent to a woman. She went to town, and while she was gone, her husband called the police and asked them to detain her, because he wanted the tent. Fortunately, our office intervened, and the investigation showed that the tent was in her name, so she was able to keep it.”*

### UNDERSTANDING VULNERABILITY

The importance of having a livelihood is obvious for women-headed households, including widows, and divorced and abandoned women. As the sole provider for her family, she must find a way to balance the demands of caring for children, managing a household, and earning money by herself. However, the study found that married women may be equally as vulnerable due to sometimes difficult intra-household dynamics.

Therefore, those wishing to assist must ensure that in focusing on one group of vulnerable women, they do not lose sight of the others. It is of equal importance to ensure that married women are not overlooked, simply because they are married. Furthermore, the focus on women-headed households sometimes leads to the allocation of assistance to women who are actually married but have been put forward by their husbands, who then take control of the assistance.

**This highlights the importance of conducting vulnerability assessments through community engagement, as well as examining ways to allocate assistance other than limiting it to “heads of household”.** In the allocation to heads of household, humanitarian actors need to take into account gender-related vulnerabilities in order to safeguard beneficiaries from discriminatory practices that place potentially vulnerable women at risk of violations linked to gender.

Humanitarian assistance should be gender sensitive, recognising that women’s role is as important as men’s in addressing humanitarian crises. It should acknowledge that, because they have different roles, women and men may have different needs. Gender must be mainstreamed and systematically integrated into every step of the process to demystify the head of household status. This would mean exploring prospects of joint ownership and equal access to humanitarian assistance and ensuring both male and female heads of household are clearly spelt out as joint owners in registration documents, land tenure documents and distribution cards.

# SOLUTIONS:

## ACCESS TO JUSTICE FOR SOMALI IDP WOMEN

This report has documented many of the obstacles and practical realities faced by Somali women in trying to access and exercise their HLP rights. It has also examined how displacement and existing humanitarian interventions are further affecting women's HLP rights. This section describes some of the solutions as expressed by IDP women during the study.

### INCREASE KNOWLEDGE OF RIGHTS AND LAWS

1. Humanitarians and civil society should train men and women on women's rights, particularly those relating to *mahr*, divorce, inheritance, and emphasise the underlying right of all women to directly own land and property that is protected by the Qur'an.

### PROVIDE LEGAL ASSISTANCE

To empower displaced women to claim and exercise their HLP rights, it is important to engage with Islamic and customary systems.

2. Provide legal assistance through either lawyers or paralegals in contexts where courts are available and deemed the appropriate forum, using joint teams of men and women where possible to utilise the advantages of both genders.
3. Organisations providing legal assistance should establish community centers in places which are easily accessible for women, such as near markets, health facilities, water points and schools.
4. Develop networks within settlements where women are trained on their rights and able to provide support for each other, building on existing outreach and awareness initiatives, and where possible, seek the inclusion of men who understand the importance and benefits of supporting Somali women.

## SUPPORT ENGAGEMENT WITH DECISION-MAKERS

5. Assist women to gain access and audience with key decision-makers, within both statutory and customary systems.
6. Provide mediation services to support women to engage with Elders to refer and resolve their HLP cases: Ultimately, women need assistance in improving their outcomes when customary systems are used, as that is where the vast majority of their issues still go.



### GOOD PRACTICE EXAMPLE

In Galkayo (Puntland), women members of local government work with NRC and IDP committees to support women's HLP rights. Female government employees work together with the IDP committees to carry out sensitisation and mobilisation activities: they explain why it is beneficial to provide housing documents to women in the settlements. Another government employee in Garowe (Puntland) states that she maintains regular contact with IDP women to ensure that they know they can come to her office if they face any threats.



## CONCLUSIONS

To empower displaced women to claim and exercise their HLP rights, the importance of Islamic and customary systems cannot be overlooked or legislated away. The customary system remains an integral part of Somali society. Even where certain aspects of it may be of less relevance in more urban settings, customary practices remain key in the management of social issues and relationships.

In order to promote women's access to justice through these mechanisms a deeper discussion about discriminatory customs and norms should be had. Women should be included in the on-going process of defining Somali custom. More thoughtful engagement is also needed to explore how these systems, religious leaders, and customary leaders, can come together to support and protect displaced women as they seek to claim their HLP rights and aim for better lives.

Struggling with the hardships of displacement, Somali women are nonetheless learning to navigate the opportunities and pitfalls of this upheaval in ways that will have a lasting impact on their conceptions of and access to HLP rights. Ultimately, Somalia remains a rich, complex, and complicated setting, humanitarian actors must understand these dynamics to facilitate long-term and positive change, and to guard against creating further harm in this fragile context.

## ANNEX: LEGAL BASIS FOR WOMEN'S HLP RIGHTS

See the full report, Chapter 2. at <http://womenshlp.nrc.no/2016/06/new-report-hlp-rights-for-somalias-displaced-women/>



